



City of Seattle
Gregory J. Nickels, Mayor
Department of Planning and Development
D.M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING & DEVELOPMENT**

Project Number: 2306853
Address: 1117 Pike Street
Applicant: Kenn Rupard for Joyce & Joseph Marleau

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the future construction of an eight (8)-story mixed use (commercial and residential) building consisting of 2,500 sq. ft. of retail use on the 1st and 2nd floors with 14 apartments above. Accessory parking for residential use will be provided for 13 vehicles in a garage both at and below grade garage. The project also includes demolition of an existing 3-story structure and approximately 660 cubic yards of grading.

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC) with Development Standard Departures:

1. Mixed Use Residential Lot Coverage above 13 feet. (23.47.008.D)
2. Residential Open (23.47.024.A)
3. Mixed Use Commercial Street Frontage of 80% (23.47.008.B)
4. Commercial Depth within a Mix Use Building at Street Level (23.47.008.B)
5. Mixed Use 13 foot Ceiling Height Limit at Street Level (23.47.008.C)
6. Bay Windows Projecting into the Street Right-of-Way. (23.53.035.B.2.C)
7. Structural Encroachment into Alley Right-of-Way (23.53.035)

SEPA-Threshold Determination (Chapter 25.05 SMC).

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ EIS

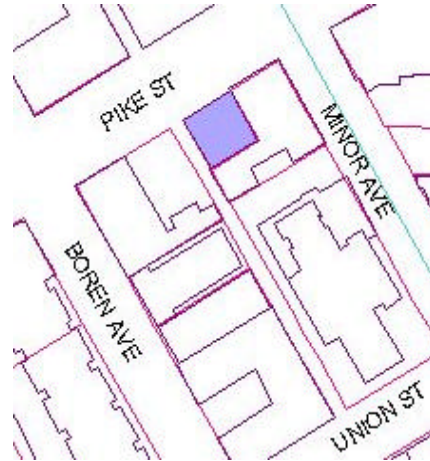
☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

**Early Notice DNS published March 11, 2004

BACKGROUND INFORMATION:

The subject site is square in shape and comprises a lot area of approximately 3,600 square feet in the Capitol Hill neighborhood. The development site is located within a Neighborhood Commercial Three zone with a height limit of 85 feet (NC3 – 85). The site is also located within the Pike/Pine Urban Center Village and the Pike/Pine Overlay District.



The subject site abuts Pike Street right-of-way along its north property boundary line and an alley along its west property line. The lot slopes moderately downward from the southeast to its northwest corner. The site is developed with a modest three (3)-story commercial buildings containing a hotel use that visually takes a backseat to the adjacent landmark designated building, commonly referred to as The Winton Hotel to the east. The existing structure at the development site was built around the turn of the century. Its exterior concrete shell is currently painted in two tones of gray with little to no distinguishing design characteristics. The site is located in the middle of the block, a block that is bisected by an alley running along its north and south axis. Directly across the alley is a surface parking lot that is accessory to a four story commercial office building which is owned and operated by The Salvation Army. The development site is bounded to the east and south by a landmark building, Wintonia Hotel. The landmark building dominates the block front with its bold red brick façade. The Dripline¹ projecting from Wintonia's frontage vertically frames the commercial space from the residential units above. The Wintonia Hotel is currently occupied by hotel (boarding house) and retail uses. Additionally, signage painted on the building's west façade advertising the Wintonia Hotel can be seen from the downtown retail core.

AREA DEVELOPMENT

This particular area along Pike Street is known as one the "gateways" to the Capitol Hill neighborhood. Pike Street is a primary arterial that connects Downtown to Capitol Hill, the street runs straight from the Downtown core and dramatically bends due east one block past the development site. There are a number of visual attractions that draws ones attention further east, as one moves from Downtown along Pike Street towards Capitol Hill, along this active pedestrian and vehicle corridor. Moving towards the east the Wintonia sign catches ones attention momentarily until the dome feature that sits atop the First Covenant Church draws ones attention further east. To the west, as one heads towards Downtown from the subject site, the sky bridge frames the right-of-way corridor in an interesting fashion.

The surrounding structures on the block were built around in the early 20th Century. Across the street a three-story apartment building and one-story automotive sales and repair shop is located.

¹ A stone molding used as a drip, as on a cornice over a window or doorway.

A mixed of commercial and residences uses fill out the uses within a two block radius of the subject site. The mix of façade treatments stimulates excitement along this corridor. The Pike Lofts Condominium located one block east along Pike Street is one of the newest building (erected in 1998) in this area, that updates preexisting design themes to create a reinvigorated design change to the streetscape. The streetscape is visually active with pedestrian movement, sidewalk cafes, on-street parking and landscaping within tree planting area. Zoning in the vicinity is a mix of Neighborhood Commercial and Multifamily zoning. Outside the moderately sized NC3 – 85 Zone, which spans north and west, is a NC2 zone with a height limit of 65 feet to the northeast. To the south a narrow band of Multifamily Midrise (MR) buffers a larger Multifamily Highrise (HR) zone. This area contains a dense mix of residential uses set within a range of residential structure types. Mature street trees provide a canopy that filters direct sunlight at street level.

PROPOSAL

The applicant proposes to demolish the existing three-story commercial building and erect a residential and commercial “mixed use” building. Approximately twelve market rate residential units and two units at or below 60% of the median family income (per DPD standards and HUD definition) will be located above street level commercial uses. Because of the relationship of the sloping lot and right-of-way system, the applicant proposes to create a mezzanine level for the commercial use (2nd floor). Parking is proposed to be located within the structure and access will be provided through an alley along the west property line. The architect proposes to terrace the upper levels down following the slopping grade along Pike Street. To meet residential open space requirements the building is proposed to step away from the Wintonia Hotel along its south property line above the commercial level.

PUBLIC COMMENTS

The SEPA comment period for this proposal ended on March 24, 2004. The Department did not receive comment letters during the public comment period.

The Early Design Guidance meeting took place on December 9, 2003. Five (5) Board members along with twelve (12) members from the public (eight individuals filled out the sign in sheet) were present. Public comment focused on exterior building treatments that included fenestration, appearance of bulk at the building northwest corner and interior commercial pedestrian access. The general public consensus was favorable one for the conceptual design

Four (4) members from the public attended the final recommendation meeting that took place on May 25, 2004.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

On December 9, 2003, the Design Review Board of Area 6 met on behalf of Board 7² in an Early Design Guidance meeting to consider the site and design objectives of the applicant. After visiting the site, considering the analysis of the site, design context provided by the proponents,

² Because of scheduling conflicts (Downtown) Design Review Board 6 consented to evaluate this project on behalf of Board 7

and hearing public comment the Design Review Board members provided the following siting and design guidance, and identified by letter (A, B, and C, etc.) and number (1, 2, & 3) those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" and the "*Pike/Pine Urban Center Village Design Guidelines*" to be of highest priority to this project.

A. Site Planning

A-1 Respond to Site Characteristics: The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

A-2 Streetscape Compatibility: The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-7 *Residential Open Space*

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

A-10 *Corner Lots*. *Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.*

- The applicant should terrace the proposed structure with topographic and streetscape considerations in mind.
- Push structure out at street level, to articulate existing presence of other structures along Pike Street. Colonnades should be transformed into an architectural feature attached to the façade to create a better scale for the proposed structure along Pike Street.
- Reduce or remove nuance spaces as it relates to colonnades, and reduce depth of dead areas.
- The proposed building should hold or frame the street edge to strengthen its presence.
- The location and quality of the residential open space "garden court" should be considered as a high value element and should fully serve the needs of its residential inhabitants.

B. Height, Bulk and Scale

B-1 *Height, Bulk and Scale*

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by , less-intensive zones.

- The Board thinks that it would be appropriate to continue the rhythm and proportion of the pre-existing adjacent structure (Wintonia Hotel). Being respectful in design to the adjacent building, honoring its historic characteristics.
- The proposed structure should take into consideration the inclusion of trellis features to add character, texture, and layers to create visual excitement upon the "gateway" street.
- Explore increasing bulk of structure above the commercial level.

C. Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complements the architectural character and siting pattern of neighboring buildings.

C-3 Human Scale

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

- The turn of the century design of the surrounding structures should be picked-up and carried forward in the design proposal. Design elements from the neighboring properties should be carried through with any new structures.
- The Pike/Pine Design Urban Center Village Guideline's architectural elements and materials should be consulted as you move into the final design.
- See comments in Site Planning.

D. Pedestrian Environment

D-2 Blank Walls

Buildings should avoid large blank walls facing the street, especially near sidewalks.

D-3 Retaining Walls

Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible.

No comments were recorded as it relates to blank and retaining walls.

E. Landscaping

E-1 landscaping to Reinforce Design Continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

E-2 Landscaping to Enhance the Building and/or site

Landscaping, including living plants, special pavement, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

Landscaping should enhance the prior guidelines, by creating interesting and creative displays of hanging gardens where trellis are located at the rooftop levels.

Summary: The proposed preferred concept featured an eight (8) – story mixed use building terracing down and away from the abutting landmark structure (The Wintonia Hotel). The Board welcomed this idea and directed the applicant to give greater consideration to the structure's relationship to street frontage at grade level, the buildings' height, bulk and scale, and treatment

of the site's southwest corner (the intersection of Pike Street and the alley rights-of-way.) The Board also noted its interest in having the designers provide alternative studies for fenestration, and a graphic representation of the proposed structure's terracing impact upon the streetscape. The architect should be instructed to bring the following studies to the recommendation meeting:

- Detailed information on terracing effect of proposed structure and its relation to the right-of-way system.
- Alternative studies for fenestration, with depth of bay windows and window frames designs.
- Review and report on the Pike/Pine Design Urban Center Village Neighborhood plan as it relates to this site.

Design Review Board Recommendations

On February 4, 2004, the applicant submitted the full Master Use Permit application. On April 27, 2004 and May 25, 2004, the Downtown Seattle Design Review Board Area 6 convened for the interim and final recommendation meeting, respectively. The applicant team presented elevation renderings, site plans that responded to design guidelines set forth by the Board during the Early Design Guidance and first recommendation meeting. The applicant requested seven (7) departures from the City's Land Use Code.

Public Comments: Twelve (12) community members attended the April 27, 2004 and five (5) members from the community attended the May 25, 2004, Final Recommendation meeting. The consensus from the community members was one of appreciation for the general look of the proposed brick building. Some critical questions centered upon the quality and look of the window treatment. It was suggested that the windows should be recessed and framed in a manner to accentuate fenestration. Other comments and questions focused on the building's interior orientation, the intrusion of parking level on commercial spaces at the alley corner, commercial staircase treatments, and window glazing into commercial areas. A lengthy discussion occurred over the question of whether the proposed exposed concrete foundation of the building's southwest corner should be softened through architectural design elements (tiling, paint, etc.). A neighbor asked that greater consideration should be directed towards minimizing visual impacts of trash collecting systems at development site.

Board Deliberation: After applicant's presentation and evaluating public comments during the Interim Recommendation Meeting held on April 27, 2004. The Board established additional guidance to facilitate the design process to better meet the goals of the *Pike/Pine Urban Center Village Design Guidelines*. The Board recommended the following:

A. Site Planning

At the Early Design Guidance Meeting, the Board asked the applicant to examine the building's relationship at grade along the Pike Street frontage. The applicant proposed a design that featured a commercial level that did not relate to the sloping grade along Pike Street. The proposed structure should take advantage of the established rhythm of retail entrances along the streetscape, stepping down in accord with the sloping Pike Street rights-of-way. The Board recommended opening up the site's southwest corner with the introduction of pedestrian active

spaces. The expose concrete wall at this corner should be lowered to communicate better with the streetscape. Additionally, creating pedestrian friendly visual details along the street frontage including the southwest corner is encouraged. Lastly, the Board suggested the design should pay attention to the location of the Metro bus stop and the building entrances to minimize potential congestion points.

B. Height, Bulk and Scale

At the Early Design Guidance Meeting, the Board and neighbors asked that appropriate design techniques be used to reduce the scale of the eight-story building to respond in the abutting landmark buildings and the sloping street. The architect responded by terracing the building down along the sloping street. The Board recommended additional design details to enhance and strengthen the building presence, not to compete with the landmark building, but to compliment the architectural richness and vitality of The Wintonia Hotel.

C. Architectural Elements and Materials

The Board liked the industrial loft look with the black framed fenestration of the proposed eight story brick building. The Board recommended that the horizontal black bands should clearly separate the residential from the commercial use, and the band should wrap around to the alley. The overhead weather protection along the streetscape should step down, following the contours of the elevation grade. The design team was asked to investigate how shadow lines may assist in creating depth on the upper façade along Pike Street. Further, the Board instructed the applicant to clearly identify proposed window tints; clear glass would be the most preferable option.

D. Pedestrian Environment

Given the site's slope, the necessity of reducing blank walls was apparent at the earlier design review meeting. The project team designed the lower level commercial space at grade elevation that did not follow the slope contours at the development site, thus creating a blank wall at the site's prominent corner with the corner commercial space about 4 feet above the sidewalk. The Board requested reconsideration of the corner treatment by lowering the commercial floor closer to street level. Further, the Board emphasized a bolder approach was warranted to make a more dramatic expression that explodes upwards at the southwest corner.

E. Landscaping

At the Early Design Guidance Meeting, the Board members did state they wanted to see interesting and creative displays of hanging gardens where the trellis are proposed at the rooftop levels. During the Recommendation Meeting, the Board focused their attention on emphasizing enhancing the streetscape with plantings, signage, lighting, and street furniture.

The following *departure* from standards of the Land Use Code were requested by the applicant at the time of the meeting and summarized below:

- 1) *To allow the increase of residential lot coverage above 13 feet within a mixed use building to increase from 64% (2,304 sq. ft.) to 80% (2,874 sq. ft.) due to existing topographic conditions and lot size. (23.47.008.D)*

- 2) *To allow a reduction in the amount of required residential open space from 20% (2,222 sq. ft.) of gross residential floor area to 16% (1,597 sq. ft.), partially due to topographic conditions and lot size. (23.47.024.A)*
- 3) *To allow the decrease of required commercial street frontage of 80% (48 feet) within a mix use building along Pike Street to 73% (44 feet) due in part to the limited amount of linear street frontage (60 feet). (23.47.008.B)*
- 4) *To allow the reduction in required commercial depth within a mix use building at street level of 30 feet on average, not exceeding 15 feet minimum depth to an average of 15 feet 6 inches, with a minimum 7 foot 8 inch depth. (23.47.008.B)*
- 5) *To allow a reduction of the required 13 foot ceiling height limit at street level within a mix use building to 8 feet at commercial level #2 due to topographic conditions. (23.47.008.C)*
- 6) *To allow the increase of the parallel width (parallel to structure facade) of bay window projections into the street right-of-way (Pike Street) from 9 feet maximum to not exceed 13 feet, 2 ¾ inches to enhance structural façade. (23.53.035.B.2.C)*
- 7) *To allow the increase of structural width encroachment (2 foot by 44 feet) containing habitual floor area into alley right-of-way approximately 27 feet above. (23.53.035)*

NORMAL	REQUIREMENT	REQUEST	JUSTIFICATION	ACTION
1. Mixed Use Residential Lot Coverage SMC 23.47.008.D	64 %	80%	<ul style="list-style-type: none"> ▪ Site topography ▪ Small development site area 	Recommend approval
2. Mixed Use Residential Open Space 23.47.024.A	20 %	16%	<ul style="list-style-type: none"> ▪ Small development site area ▪ Adjacency to abutting structure 	Recommend approval
3. Mixed Use Commercial Width SMC 23.47.008.B	80 % Street frontage equals 48 feet	44 feet	<ul style="list-style-type: none"> ▪ Site topography ▪ Property length along Pike Street 	Recommend approval
4. Mixed Use Commercial Depth SMC 23.47.008.B	30 foot average, not to exceed 15 foot minimum depth	15 feet 5 inches average not exceeding 7 feet 8 inches @ lower level	<ul style="list-style-type: none"> ▪ Working with site topography ▪ Use of mezzanine level 	Recommend approval
5. Mixed Use Commercial Height SMC 23.47.008.C	13 feet	8 feet @ mezzanine.	<ul style="list-style-type: none"> ▪ Site topography ▪ Introduction of mezzanine level ▪ 19 feet high at entry along Pike Street 	Recommend approval
6. Structural	9 feet maximum	13 feet 2 ¾	<ul style="list-style-type: none"> ▪ Creation of a prominent 	Recommend

Building Overhang/Pike Street. 23.53.035.B.2. C	parallel with 45 degree angle on either side not exceeding 15 feet in total	inches with 2 foot separation between each bay	façade along gateway entrance to Capitol Hill	approval
7. Structural Building Overhang/Alley Street. 23.53.035	Bay Windows width a maximum width of 15 feet	44 feet structural projection width	<ul style="list-style-type: none"> Small development site area with articulation created by material texture 	Recommend approval

Board Discussion: After taking into consideration site conditions and the proposed development design at the May 25th meeting, the Board began their analysis by providing a general assessment of the project proposal and its impact on the neighborhood. The Board agreed that the design team had in fact achieved an inspired architectural structure. The proposed structure establishes a presence that is sympathetic to the surrounding historic characteristics with a modern design expression that does not diminish the charm and simple grace of the Wintonia. By taking advantage of the existing topographic conditions at the development site and respecting the landmark status of Wintonia Hotel, the architect terraced the upper levels to frame the focal point (horizontal hotel sign painted on brick) of the Wintonia from the western perspective.

(*Guidelines A-1, B-1, & C-1*) The use of brick, black banding, clear glass and bay windows upon the proposed structure's north façade along Pike Street, compliments Wintonia and other structures in the vicinity. The design reduces the appearance of bulk at the site's most prominent corner with the use materials and banding techniques. The proposed design takes clues from the "Bauhaus" movement to achieve a sense of elegance through art and design. The Board noted the bay window rectangular treatment for the proposed structure will add character to the building and had affected a great design that should be considered for other projects. The architect underscored the value of design features to make the development visually interesting and inviting to pedestrian activity along the streetscape. Therefore, the Board will require additional attention to this area. (*Guidelines A-2, C-3, & E-2*)

The Board indicated during the first recommendation meeting, among other design concerns that the proposed structure's northwest corner should open up and be visually inviting along the streetscape. (*Guidelines A-10, C-3, & E-2*) The architect responded by stepping the building back from the northwest corner at the street level and dropping the commercial floor level to increase glazing at the lower levels. This modulation feature creates visual interest and softens the appearance of bulk at the corner. The area between the building's footprint and property line will be landscaped to further soften the corner and its street frontage along Pike Street. The design team argued that the canopies overhanging into Pike Street have been designed to maintain a uniform height that responds to similar design characteristics along the streetscape which the board agreed to accept. The proposal further takes clues from the rhythm of commercial entrances from the Wintonia with its vertical treatment of colonnades-like features. In the rear, the building steps back from the Wintonia Hotel above 20 feet to accommodate limited residential coverage. The Board felt that this area needed greater attention to encourage residential occupant activity. (*Guidelines A-7 & E-2*) This area will feature landscaped open space and access stairwell leading to the upper levels. To mitigate the starkness of the solid wall facades the project will introduce "Greenscreens" to increase vertical vegetation in the open space. Greenscreens are three dimensional welded wire trellising system that allow for vines and like-vegetation controlled vertical growth with minimal impact. The Board was encouraged by

this effort from the design team but emphasized greater attention and care was warranted to make the development more cohesive.

Departure Analysis

i. Residential lot coverage above 13 feet. (23.47.008.D)

Required residential coverage, 13 feet above finished grade, within a Mixed Use structure is limited to 64% of the development site. The design team is proposing an increase of up to 80% (2,874 sq. ft) coverage to compensate for a development site that occupies an area of approximately 3,600 square feet. The 80% request represents an additional 570 square feet which affords attractive features that includes bay windows and other projections. The terraced design of the upper levels reduces the appearance of bulk along the west and north elevations, which better serves the overall intent of the design guidelines. (*Guidelines A-1, A-7 & B-1*)

ii. Residential open (23.47.024.A)

Usable open space shall be required for all residential uses in an amount equal to 20% of the structures gross floor area devoted to residential uses. The required open space for the project proposal is 2,222 square feet. The development team is proposing to provide 1,597 square feet. To create a sense of openness for the residential occupants the upper levels were terraced in a manner that follows along the line of the street frontage, thus allowing greater exposure to natural light for the upper levels. (*Guidelines A-7, B-1 & C-3*) Due to the relatively small subject site and topographic conditions at the development site a premium was placed on creating moderate sized units. The design team has proposed to enhance the proposed open spaces with elements to make the spaces attractive and inviting. Further, the Board agreed to allow an increase in residential lot coverage that resulted in reduces opportunities to provide common open space areas.

iii. Commercial street frontage of 80% (23.47.008.B)

A minimum of 80% of a structure's front façade at street level shall be occupied by nonresidential use in mixed use developments. The property is 60 feet in length along the street frontage. The development team is proposing to devote approximately 16 feet to residential use. The simple but elegant entrance to the residential area consists of one set of double doors, two narrow vertical windows on either side of the door, with columns framing the entrance. The proportionality of the residential area along the street frontage is in scale and does not adversely impact commercial activity along the streetscape. (*Guideline C-1*)

iv. Commercial depth within a mix use building at street level (23.47.008.B)

Mixed use development at street level shall have an average non-residential use depth requirement of 30 feet, with no portion less than 15 feet. Due to the topographic conditions and limited lot size at the development site, meeting the minimum street level commercial depth requirement would prove challenging. The proposed parking levels have impacted the design and configuration of the street level commercial use. Several

options were explored to meet minimum required parking requirements and a final layout was settled upon that maximize the use and attractiveness the nonresidential space.

v. *13 foot ceiling height limit at street level (23.47.008.C)*

Mixed use development at street level shall have a minimum floor to floor 13 foot height limit. Due to the topographic conditions at the development site meeting the minimum street level height would prove challenging. Besides working with a site that is relatively small (60 feet X 60 feet), access ramps to underground parking and parking level have impacted the design and layout of the street level nonresidential use. The Board agreed that the site imposed development constraints directly impacting the design of street level use.

vi. *Bay windows projecting into the street right-of-way. (23.53.035.B.2.C)*

Structural building overhangs, including bay windows are limited to a maximum projection of three feet into right-of-way and 9 feet in width (for the parallel portion of said feature³). The addition of bay window features upon the Pike Street frontage enhances the pedestrian experience for visitors to the site (*Guidelines A-2 & C-1*), which better serves the overall intent of the design guidelines. The proposed bay windows act as a counterbalance to the abutting Wintonia's relief windows to visually activate this gateway corridor to the Capitol Hill neighborhood.

vii. *Structural encroachment into alley right-of-way (23.53.035)*

Structural building overhangs, including bay windows are limited to a maximum projection of two feet into right-of-way and 9 feet in width (for the parallel portion of said feature⁴). To provide additional living space for two residential units on a relatively small development site, the applicant proposed to project a portion of the upper level two (2) feet into the alley. The minimum height of the projection is designed to be 27 feet (1 foot above the minimum height requirement of 26 feet) above alley grade. After consultation and approval from Seattle Department of Transportation, the Board accepted the modulated structural projection. The applicant will provide glazing within the first 15 feet from the building's northwest corner along the alley to reduce the appearance of bulk. Brick and masonry will be primary materials for this feature. (*Guidelines A-2 & C-1*)

Summary of Departures

NORMAL	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Mixed Use Residential Lot Coverage SMC 23.47.008.D	64 %	80%	<ul style="list-style-type: none">▪ Site topography▪ Small development site area	Approved

³ See SMC Section 23.53.035 for detailed description

⁴ See SMC Section 23.53.035 for detailed description

2. Mixed Use Residential Open Space 23.47.024.A	20 %	16%	<ul style="list-style-type: none"> Small development site area Adjacency to abutting structure 	Approved
3. Mixed Use Commercial Width SMC 23.47.008.B	80 % Street frontage equals 48 feet	44 feet	<ul style="list-style-type: none"> Site topography Property length along Pike Street 	Approved
4. Mixed Use Commercial Depth SMC 23.47.008.B	30 foot average, not to exceed 15 foot minimum depth	15 feet 5 inches average not exceeding 7 feet 8 inches @ lower level	<ul style="list-style-type: none"> Site topography Use of mezzanine level 	Approved
5. Mixed Use Commercial Height SMC 23.47.008.C	13 feet	8 feet @ mezzanine.	<ul style="list-style-type: none"> Site topography Introduction of mezzanine level 19 feet at entry along Pike Street 	Approved
6. Structural Building Overhang/Pike Street. 23.53.035.B.2. C	9 feet maximum parallel with 45 degree angle on either side not exceeding 15 feet in total	13 feet 2 ³ / ₄ inches with 2 foot separation between each bay	<ul style="list-style-type: none"> Creation of a prominent façade along gateway entrance to Capitol Hill 	Approved
7. Structural Building Overhang/Alley Street. 23.53.035	Bay Windows width a maximum width of 15 feet	44 feet structural projection	<ul style="list-style-type: none"> Small development site area 	Approved

Summary of Boards' Recommendations:

The recommendations summarized below are based on the plans submitted at the May 25, 2004 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the May 25, 2004 public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended approval of the subject design with conditions. The Board recommended approving all departures that were requested. The Board made the following recommendations. (Authority referred in the letter and number in parenthesis.):

1. Design and install amenities including bulkhead benches, chairs and a table in the residential courtyard. The courtyard should be sensitive to providing an inviting and attractive area for residential use. Details to be reviewed and approved by the DPD planner. A-7, E-2
2. Green-up the residential courtyard with vertical landscaping to create a better visual composition for the pedestrian oasis from the active urban environment and around the site. Approval of the detailed landscape plan shall be subject to the approval by the DPD planner. A-7, E-2, E-3

3. Design and install light fixtures that cast light vertically along Pike Street and upon the alley right-of-way. The light fixtures should complement the elegant look of the proposed structure. Approval of the light fixture shall be subject to the approval by the DPD planner. A-2, C-1, C-3
4. The concrete base at the building's northwest corner should incorporate design elements to soften the edge of a visually dominate corner. Two of these design elements should include a chamfered corner and relief impressions on the concrete surface. Final design approval shall be subject to the approval by the DPD planner. A-2, A-10, C-1

Director's Analysis and Decision: Design Review

The Director of DPD has reviewed the recommendations and conditions of the Design Review Board, including the requested design departures. The Director finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings, and Pike/Pine Urban Center Village Design Guidelines*. The Director **APPROVES** the subject design and requested departures consistent with the Board's recommendations above. This decision is based on the Design Review Board's final recommendations and on the plans submitted at the public meeting on May 25, 2004. Design, siting or architectural details not specifically identified or altered in this decision are expected to remain substantially as presented in the plans available at the May 25th, public meeting.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated February 2, 2004) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance,

and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

Construction of the project is proposed to last for several months. Parking utilization along streets in the vicinity is moderate during the daytime hours and the demand for parking by construction workers during construction is not anticipated to reduce the supply of parking in the vicinity. Parking demand for construction personal can be accommodated at nearby public parking lots if need arises or managed within the right-of-way. Therefore, no further mitigation will be required.

The development site is located adjacent to a mixed of residential and commercial uses where construction of this scale would impact the noise levels. The Wintonia Hotel wraps around two sides of the proposed structure and construction related noise would have an immediate impact upon the staff and occupants. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of uses including residential units in the area and the proximity of these structures to the subject site. The proposal is, therefore, conditioned to limit construction activity to non-holiday weekday hours between 7:30 A.M. and 6:00 P.M. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Historic and Cultural Preservation - Construction staging area related activities which include increased noise, dirt and truck traffic could impact The Wintonia Hotel which has been designated a historic landmark building within the City of Seattle. In accordance with the *Department of Planning and Development – Department of Neighborhoods Interdepartmental Agreement on Review of Historic Building during SEPA Review*; the planner referred approval to the Historic Preservation Officer. The Historic Preservation Officer evaluates criteria for development occurring adjacent to or across the street from landmark structures," in response to the SEPA Historic Preservation Policy (SMC 25.05.675.H.2.d). The review of the impacts associated with the proposed project does not require further design mitigation, as determined by the Landmarks Preservation Board, (LPB 226/04) in a letter dated July 28, 2004.

Traffic - Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is fronts along a major arterial and traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks, which minimizes the amount of spilled material and dust from the truck bed enroute to or from a site.

Air and Environmental Health - Given the age of the existing structure on the site, it may contain asbestos, which could be released into the air during demolition. The Puget Sound Clean Air Agency (PSCAA), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections 25.05.675 A and F, to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA permit prior to issuance of a demolition permit, if necessary. So conditioned, the project's anticipated adverse air and environmental health impacts will be adequately mitigated.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; and increased energy consumption. These long-term impacts are not considered significant because the impacts are moderate in scope.

The long-term impacts are typical of mixed use structures of this size and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk, and Scale

The proposed eight-story project will rise to approximately 72 feet above existing grade along its east quarter, abutting the Wintonia Hotel. The building will step down and away from the Wintonia to a height of approximately 52 feet above the existing grade, following the topography along Pike Street. The upper level features a framed open deck that successfully reduces the appearance of bulk on the top levels. Due to the relationship of grade and topographical conditions in the surrounding area the proposed building marginally impacts the streetscape as it falls within the 85 foot height envelope for the underlying Neighborhood Commercial Three zone. The taller Wintonia Hotel abuts the proposed building to the east and south, further reducing its visual impact on surrounding properties. From the western perspective the structure

seeks to open up the alley by stepping away at the upper levels, thus allowing additional light to enter this area.

The site is smaller in size than most properties in the immediate vicinity, comprises an area of 3,600 sq. ft. The subject site is located near the middle of the block, adjacent to the east of the alley, on Pike Street between Boren Avenue and Minor Avenue. Advancing eastward along Pike Street from Downtown, the proposed development successfully accentuates the Landmark status of the abutting Wintonia, while successfully designed with architectural elements to break up the appearance of bulk of the facades to mitigate height, bulk, and scale impacts of the structure. The proposed project is being developed to NC2 - 85 standards, as allowed by the Land Use Code, and is thereby in keeping with the scale of the potential of the zone as well as that of several existing structures in the vicinity.

The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *“the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the adopted Land Use Policies...for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

In addition, the SEPA Height, Bulk and Scale Policy states that *“(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.”* Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that apartment units generate approximately 6.1 vehicle trips per day. Based on the estimates in the Trip Generation Manual the 14 apartment units would generate approximately 85 vehicle trips per day. The proposed commercial (retail) use is estimated to have no significant adverse impacts upon neighborhood traffic flow and intersections. Traffic generation is driven by gross floor area of specific uses in this case the approximately 2,500 square foot general retail business did not cross a minimum threshold as determined by ITE to warrant a detailed analysis of vehicle activity. The availability and proximity of transit to downtown and on Interstate 5 to the west to other employment centers will make it likely that there will be fewer vehicle trips than from developments in outlying areas on which the ITE generation equation is based. The site has ready access to Capitol Hill and Downtown along the Pike Street corridor and will have access to on and off-ramps to I - 5. The amount of traffic expected to be generated by the proposed project is within the capacity of the streets in the immediate area, so no SEPA mitigation of traffic impacts is warranted.

Parking

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity. Parking utilization in the vicinity appears to be below capacity and on-street parking can be found during the daytime or evening hours. Two of the proposed 14 dwelling units will be occupied by households with an income at the time of its initial occupancy at or below 60 percent of the median family income, as defined by HUD. Thirteen off-street parking spaces will be provided within the proposed structure for a parking ratio of .93 spaces per unit which meets code requirements and is expected to accommodate parking demand generated by the 14 dwelling units most of the day. Pursuit to Section 25.05.675.M.2.ii of the Seattle SEPA Ordinance states that residential parking in the Pike/Pine Overlay District shall be no greater than the minimum required by the Land Use Code which the project has satisfied. Parking demand for the nonresidential use (retail) is expected to reach 4 during the peak demand hour (Lunchtime). It is anticipated that on-street parking will absorb this demand without significant adverse impacts upon the right-of-way. Due to the retail size and location, within a pedestrian friendly neighborhood, it is further anticipated that patrons will walk to the proposed establishment. On-street parking capacity in the surrounding area is sufficient to meet any additional spill-over parking which may exist. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

CONDITIONS – DESIGN REVIEW

Non-appealable conditions

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bradley Wilburn, 615-0508). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bradley Wilburn, 615-0508), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
4. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated, into the MUP plans prior to issuance, and also embed these colored elevation drawings into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.

Prior to issuance of MUP

The owner/applicant shall update plans to show:

5. Design and install amenities including bulkhead benches, chairs and a table in the residential courtyard. The courtyard should be sensitive to providing an inviting and attractive area for residential use.
6. Green-up the residential courtyard with vertical landscaping to create a better visual composition for the pedestrian oasis from the active urban environment around the site.
7. Design and install light fixtures that cast light vertically along Pike Street and upon the alley right-of-way. The light fixtures should complement the elegant look of the proposed structure.
8. The concrete base at the building's northwest corner should incorporate design elements to soften the edge of a visually dominate corner. Two of these design elements should include a chamfered corner and relief impressions on the concrete surface.
9. Glazing within the first 15 feet from the building's northwest corner along the alley to reduce the appearance of bulk. Brick and masonry will be primary materials for this feature.

SEPA CONDITIONS

The owner(s) and/or responsible party(s) shall:

Prior to issuance of Demolition or Construction Permits

1. The owner(s) and/or responsible party (ies) shall submit a copy of the PSCAA permit prior to issuance of a demolition permit, if a PSCAA permit is required.

Prior to issuance of MUP

2. Submit approved Street Use Permit concept plan for right-of-way improvements along the alley an

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

3. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:30 AM and 6:00 PM and Saturdays between 9:00 AM and 6:00 PM. This condition may be modified by the Department to permit work of an emergency nature of to allow low noise exterior work (e.g., installation of landscaping) after approval from the Land Use Planner. After the structures are enclosed, interior work may proceed at any time in compliance with the Noise Ordinance.

Compliance with all conditions must be verified and approved by the Land Use Planner, Bradley Wilburn, ph.: 206-615-0508, at the specified development stage, as required by the Director's decision. The applicant/responsible party are responsible for arranging an appointment with the Land Use Planner at least three (3) working days prior to the required inspection. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: _____ Date: August 16, 2004
Bradley Wilburn, Land Use Planner
Department of Planning and Development
Land Use Services

BW:bg